NOT FOR PUBLIC VIEW

AO 106 (Rev. 07/87) Affidavit for Search Warrant

# UNITED STATES DISTRICT COURT

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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In the Matter of the Search of

(Name, address, or brief description of person, property or premises to be searched)

International Self Storage, Unit M287
2310 Via Tercero
San Ysidro, CA 92173

## ~~APPLICATION AND AFFIDAVIT~~ FOR SEARCH WARRANT

CASE NUMBER: '08 MJ 0651

I, Richard Verducci being duty sworn depose and say: I am a Special Agent with the Bureau of Alcohol, ~~Tobacco, Firearms~~ and Explosives and have reason to believe

that on the property or premises known as (name, description and/or location)

***SEE ATTACHMENT A***

In the Southern District of California there is now concealed a certain person or property, namely (describe the person or property to be seized

***SEE ATTACHMENT B***

which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)

property which constitutes evidence of the commission of a criminal offense concerning a violation of Title 26 United States Code, Section 5861 (D)

The facts to support a finding of Probable Cause are as follows:

***SEE ATTACHMENT C***

Continued on the attached sheets and made a part hereof.

[signature]
Signature of Affiant

Sworn to before me, and subscribed in my presence

3/3/08 @ 4:05 pm at San Diego, CA
Date City and State

Cathy Ann Bencivengo
U.S. Magistrate Judge

[signature]
Signature of Judicial Officer

**ATTACHMENT C**

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

I, Richard Verducci, being duly sworn, hereby depose, and say:

I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), United States Justice Department, and am currently assigned to the San Diego Field Office, and have been so employed since 1989. I have made application and execution of numerous search warrants for violations of Federal Firearms, Explosives and Narcotics Laws, which have resulted in successful prosecution. I am a graduate of the Federal Law Enforcement Training Center, the ATF National Academy and have received extensive training in firearms, explosive and narcotics enforcement techniques, firearms and narcotics interdiction, methods of firearms and narcotics trafficking, and the manufacture, production and distribution of firearms, explosives and narcotics from various state and federal agencies. I am a Certified Explosives Specialist (CES) for ATF. This advance certification allows your affiant to handle and destroy explosives and explosives material. As a result of my training and experience as an ATF Special Agent, I am familiar with Federal criminal laws and know that it is a violation of 26 USC 5861, for any person to manufacture, receive or possess a destructive device or machinegun, etc., which is not registered to that person in the National Firearms Registration & Transfer Record, Washington, D.C. This affidavit is made in support of a warrant to search storage unit #M287 located at International self Storage, 2310 Via Tercero, San Ysidro, California, for items constituting evidence of violations of Title 26, United States Code, Section 5861 (D) Possession of an unregistered destructive device.

**PREMISES TO BE SEARCHED**

The premises sought to be searched is storage Unit #M287, International Self Storage, located at 3210 Via Tercero, San Ysidro, California, as specifically and more fully set forth in **Attachment A**.

**ITEMS TO BE SEIZED**

**See Attachment B**

**PROBABLE CAUSE**

During the course of my duties, I have learned the following information based upon my discussions with the named witnesses or by having read the reports of or talked with other law enforcement officers who have spoken directly with the named witnesses. All references to date refer to this calendar year unless otherwise stated.

On February 26, 2008, Special Agent Mark Dao, Defense Criminal Investigative Service (DCIS) interviewed Angel Galindo. Galindo advised her husband is Luis Javier Galindo, a Marine stationed at Marine Corps Air Station (MCAS) Miramar. Galindo related she contacted DCIS to report that her soon to be ex-husband might be involved with the storage of grenades and at least one M-16 automatic rifle. Galindo advised her motivation for reporting this information was revenge. Galindo related that she and Luis Javier Galindo had several domestic altercations prior to their current separation. According to a background check of Angel Galindo, she has two misdemeanor convictions: (1) 2005 domestic battery and (2) 1996 criminal trespass.

Angel Galindo said that Luis Galindo has a sister named Angelica Gonzalez and that her husband and five year old son are currently residing with Gonzalez at 1260 Paseo Magda, Apartment 134, Chula Vista,.CA. Angel Galindo said in August 2007, Galindo went to a storage unit located in San Ysidro, CA with her husband and Gonzalez. Galindo said while she was at the storage unit, she saw one M-16 rifle that was placed inside a blue bag. In addition, she saw two boxes containing numerous grenades. Galindo did not know if her husband stole the weapons from MCAS Miramar. Galindo could not recall the name of the storage company, but advised it was located near the next exit South of Dairy Mart Road in San Ysidro, CA, once you exit Interstate 5 heading south.

On February 28, 2008, I followed the directions given by Galindo and located "International Self Storage" at 2310 Via Tercero, San Ysidro, California. I spoke with Hector Cuaatepotzo, an employee of International Self Storage. Mr. Cuaatepotzo told me that Luis Galindo is currently renting storage unit M287. Mr. Cuaatepotzo checked the company computer and said that Galindo was at the storage unit on February 4, 2008 and he paid $45.90 for the monthly rent. Mr. Cuaatepotzo said Galindo registered address is P.O. Box 45334 San Diego, California 92145 and his occupation listed on the rental agreement as in the military. I personally looked at the outside of unit M287 and it appears as described in **Attachment A**.

On February 29, 2008, I spoke with Special Agent Ryan Colwell, United States Naval Criminal Investigative Service (NCIS). Special Agent Colwell said Luis Javier Galindo an active duty Marine assigned as an Admin Clerk to the Fleet Aviation Specialized Operational Training Group Detachment at Miramar. Special Agent Colwell said Galindo does not have access to grenades in his current job assignment.

On March 3, 2008, I spoke with Julie Merry, Manager of International Self Storage. Mrs. Merry said Luis Galindo has rented storage unit M287 since December 2006. Mrs. Merry said International Self Storage has no records of when a renter goes in or out of their storage unit. Mrs. Gerry said the only records kept are when the renters pay their rent.

## CONCLUSION

Based on my training and experience, I believe the Luis Galindo has explosives inside the above described storage unit. It is common for individuals to use such facilities to store such items as they can control access to the property and avoid questions from others who live with them or visit them at their residence about such property. I have participated in or have knowledge of the execution of many search warrants for firearms violations. Based on this experience, I know that people sometimes store their explosives in storage units.

Based on the facts and opinions set forth above, I believe that violations of Title 26, United States Code, Section 5861 (d) have occurred and that evidence of these violations, as described in **Attachment B,** will be located at the premises to be searched, identified in **Attachment A**.

Dated: 3/3/08

[signature]

Richard J. Verducci, Special Agent-ATF

Subscribed and sworn to

before me this 3rd day

of March, 2008.

Cathy Ann Bencivengo, U.S. Magistrate Judge

# ATTACHMENT A

**Description of Property to be Search**

Storage Unit M287, located at International Self Storage, 2310 Via Tercero, San Ysidro, California, further described as a commercial storage facility with multiple buildings. Unit M287 is located in the second building to the north of the office of this storage facility. The building is tan stacco and has a blue "M' painted on it. The main entrance to this building is a blue door and once inside, Unit M287 is the first unit seen at the top of the stairs. The door to unit M287 is painted white and has "287" painted on the door in black paint. Unit M287 is locked with a Dis Brand Pad lock on it. The storage unit is approximately 10 feet by 8 feet.

**ATTACHMENT B**

**ITEMS TO BE SEIZED**

Items to be seized include:

a. Documents, papers, and items that tend to show dominion and control over said storage unit, including keys, storage locker lease agreement, locker rental receipts, fingerprints, clothing, handwritings, and documents and effects bearing a form of identification such as a person's name, photograph, Social Security number or driver's license number.

b. All explosives and explosives materials including commercial and U.S. Military high explosives, dynamite, 'C-4', TNT, binary explosives, slurry explosives, detonation cord, R.D.X, PETN, HMX, nitro glycerin, datasheet, commercial and U.S Military low explosives including black powder, smokeless powder, pyrodex flash powder, and pyrotechnic powders. Any and all homemade high and low explosives. Military grenades, components of construction or improvised grenades, to include; explosive powder, grenade hulls and fuzes, modified grenade hulls and fuzes. All materials, agents and chemicals used for the manufacture of explosives and explosive devices; metal shavings powder residue, metal grindings, and plastic grindings; explosives and blasting materials and paraphernalia including firing leads, galvanometer, blasting cap crimpers, fuse lighters, cannon or hobby fuse, hand or electric blasting machines, homemade, U.S. military and commercial detonators such as blasting caps (electric and non-electric), and squibs, electrician tape, duct tape, masking tape, wire (both multi-strand and single strand), alligator clips, homemade and commercially made switches and fuses, mercury switches, electronic components, batteries, timers, pipe nipples, end caps, cardboard cylinders, epoxy, silicone sealant, hot glue, booby traps, timing devices, LED lights, plastic straws, lead shot, PVC pipe, matches, and tools normally used in the manufacture of improvised explosive devices including drills, drill bits, wire cutters, funnels, saws, and knives; literature on explosives including books, magazines, pamphlets, and diagrams relating to the manufacture and use of explosives and explosives devices; to seize and view audio and video tapes that may contain information on the construction of explosives or explosive devices; receipts and documents for chemicals or other explosives or bomb making materials; and papers, documents, photographs, photographic negatives, undeveloped film, computer hardware and software and effects which tend to show dominion and control over said premises, including fingerprints, clothing, handwriting, documents and effects which bear a form of identification such as a person's name, photograph, social security number or driver's license number; and keys.